

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

SECOND AMENDMENT ARMS (a d/b/a of R. Joseph Franzese), R. JOSEPH FRANZESE, individually and d/b/a SECOND AMENDMENT ARMS, and TONY KOLE,

Plaintiffs,

V.

CITY OF CHICAGO, a municipal corporation,)
 RAHM EMANUEL, in his official capacity as)
 Mayor of the City of Chicago, GARRY)
 McCARTHY, Superintendent of Police of the City)
 of Chicago, and SUSANA MENDOZA, City Clerk)
 of the City of Chicago,)

Defendants.

Case No: 1:10-CV-4257

Hon. Robert M. Dow, Jr.
U.S. District Court Judge

Hon. Sheila M. Finnegan
U.S. Magistrate Judge

**UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE
SUPPLEMENTAL BRIEFS IN RESPONSE TO COURT'S ORDER
ON SUMMARY JUDGMENT**

NOW COME the Plaintiffs, Second Amendment Arms (a d/b/a of R. Joseph Franzese), R. Joseph Franzese, individually and d/b/a Second Amendment Arms, and Tony Kole, by and through undersigned counsel, and move this Honorable Court to grant Plaintiffs an unopposed extension of time to file their supplemental briefs in response to the Court's Order on Summary Judgment. In support thereof, Plaintiffs state as follows:

1. This action alleges violations of the Plaintiffs' constitutional rights owing to certain of Defendants' past and present regulations regarding the sale of firearms in Chicago.

2. The Court entered a ruling regarding summary judgment on March 10, 2020, and ordered supplemental briefing on the issues of damages and laser sights (Dkt. # 278). Due to the Coronavirus pandemic, and the various Orders from the Chief Judge and issues of counsel arising from that pandemic, the due date for the supplemental briefs was scheduled for July 2, 2020, with supplemental reply briefs due on July 23, 2020.

3. Due to Plaintiffs' counsel's caseload, including but not limited to summary judgment briefings in Cook County, and a just-filed Response Brief in DuPage County, Plaintiffs are unable to complete the Response by the due date, despite efforts to do so.

4. Therefore, Plaintiffs are requesting an additional 14 days, or by July 16, 2020, to file their supplemental briefings, with a commensurate date for Defendant's counsel. Plaintiff also requests an extension until August 6, 2020 for supplemental reply briefs.

5. Defendants' counsel is not opposed to the granting of this Motion, following e-mails between counsel.

6. This Motion is not filed for dilatory purposes or for delay, but only so that Plaintiffs may fully present their arguments before the Court.

WHEREFORE, the Plaintiffs, Second Amendment Arms (a d/b/a of R. Joseph Franzese), R. Joseph Franzese, individually and d/b/a Second Amendment Arms, and Tony Kole, by and through undersigned counsel, request this Honorable Court grant the parties an extension of time until July 16, 2020 to file the supplemental briefs, as well as any and all further relief as this Court deems appropriate, including granting the parties until August 6, 2020 for supplemental reply briefs.

Respectfully submitted,

/s/ David G. Sigale

Attorney for Plaintiffs

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CERTIFICATE OF ATTORNEY AND NOTICE OF ELECTRONIC FILING

The undersigned certifies that:

1. On June 30, 2020, the foregoing document was electronically filed with the District Court Clerk *via* CM/ECF filing system;
2. Pursuant to F.R.Civ.P. 5, the undersigned certifies that, to his best information and belief, there are no non-CM/ECF participants in this matter.

/s/ David G. Sigale
Attorney for Plaintiffs

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